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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/549,505	04/14/2000	Brian Mark Shuster	409475-4	8771

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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT PAPER NUMBER

2178

DATE MAILED: 04/01/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/549,505

Applicant(s)

SHUSTER ET AL.

Examiner

Joshua D Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 01/26/2004.
2. Claims 1-49 are pending in this case. Claims 1, 11, 24, and 36 are independent claims.
3. The rejection of claims 1, 2, 9, and 11-13 under 35 U.S.C. 102(e) has been withdrawn as necessitated by amendments.
4. The rejection of claims 3-8, 10, and 14-23 under 35 U.S.C. 103(a) has been withdrawn as necessitated by amendments.

Specification

5. The objection of the abstract has been withdrawn in view of amendments

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Art Unit: 2178

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 9, and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996).

7. **Regarding independent claim 1**, Weinburg et al. discloses a method of mapping a web page in which a user selects a page from a wide area network, World Wide Web, which contains links to other pages and objects (column 1, line 64-column 2, line 26 of Weinberg). Routines in the program show the overall architecture of the site including the links between all objects (column 2, lines 10-26 of Weinberg). A map is generated that shows the relationship of the objects and also shows additional information about the objects as the user zooms in on the map (column 2, lines 10-57 of Weinberg et al.). Weinburg et al. also discloses that search engine may be used for mapping purposes, so that a search is performed for pages on a wide area network (internet) and a map is created from that set of web pages (column 26, line 32-column 27, line 35 of Weingberg et al.).

8. **Regarding dependent claim 2**, Weinburg et al. discloses a method in which a graphical icon is used to identify an object in the map (column 2, lines 49-57 of Weinberg). Additional information or properties are defined to be displayed on the map when a user zooms in the view of the map (column 2, lines 49-57 of Weinberg et al.).

Art Unit: 2178

9. **Regarding dependent claim 9**, Weinburg et al. discloses a method in which a map is displayed in a user interface in which a user may select an object such as a link or use interface options to create a map page (column 1, line 64-column 2, line 48 of Weinburg et al.).

10. **Regarding independent claim 11**, Weinburg et al. discloses a method in which a set of linked target pages such as a web site may be selected and the entire set will be included in a generated map page (column 2, lines 10-26 of Weinburg et al.).

11. **Regarding dependent claim 12**, Weinburg et al. discloses a method in which a set of linked target pages such as a web site may be selected and the entire set will be included in a generated map page (column 2, lines 10-26 of Weinburg et al.). Weinburg et al. also discloses that search engine may be used for mapping purposes, so that a search is performed for pages on a wide area network (internet) and a map is created from that set of web pages (column 26, line 32-column 27, line 35 of Weinberg et al.).

12. **Regarding dependent claim 13**, Weinburg et al. discloses a method in which a graphical icon is used to identify any object or page in the map (column 2, lines 49-57 of Weinberg). Additional information or properties are defined to be displayed on the map when a user zooms in the view of the map (column 2, lines 49-57 of Weinberg et al.).

13. **Regarding dependent claim 14**, Weinburg et al. discloses a method in which a map is displayed in a user interface in which a user may select an object such as a link to create a map page (column 1, line 64-column 2, line 48 of Weinburg et al.).

Art Unit: 2178

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 24-25 and 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996).

16. **Regarding independent claim 24**, Weinburg et al. discloses a method of mapping a web page in which a user selects a page from a wide area network, World Wide Web, which contains links to other pages and objects (column 1, line 64-column 2, line 26 of Weinberg). Routines in the program show the overall architecture of the site including the links between all objects (column 2, lines 10-26 of Weinberg). A map is generated that shows the relationship of the objects and also shows additional

Art Unit: 2178

information about the objects as the user zooms in on the map (column 2, lines 10-57 of Weinberg et al.). Weinburg et al. does not directly disclose the use of web server interconnected with a database to perform this method.

However, Weinburg et al. discloses a method in which dynamic pages are created by a web server, which is connected to a database, by performing an operation such as a database search (column 23, line 63-column 24, line 14 of Weinburg et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the method of performing dynamic operations on web page to execute the mapping method of Weinburg et al. because it is another way to perform operations on a web page.

17. **Regarding dependent claim 25**, the claim incorporates substantially similar subject matter as claim 2. Thus, the claim is rejected along the same rationale as claim 2.

18. **Regarding dependent claims 34 and 35**, the claims incorporate substantially similar subject matter as claim 9. Thus, the claims are rejected along the same rationale as claim 9.

19. **Regarding independent claim 36**, Weinburg et al. discloses a method in which a set of linked target pages such as a web site may be selected and the entire set will be included in a generated map page (column 2, lines 10-26 of Weinburg et al.). Weinburg et al. does not directly disclose the use of web server interconnected with a database to perform this method.

However, Weinburg et al. discloses a method in which dynamic pages are created by a web server, which is connected to a database, by performing an operation such as a database search (column 23, line 63-column 24, line 14 of Weinburg et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the method of performing dynamic operations on web page to execute the mapping method of Weinburg et al. because it is another way to perform operations on a web page.

20. **Regarding dependent claim 37**, the claim incorporates substantially similar subject matter as claim 12. Thus, the claim is rejected along the same rationale as claim 12.

21. **Regarding dependent claims 38 and 39**, the claims incorporate substantially similar subject matter as claim 9. Thus, the claims are rejected along the same rationale as claim 9.

Claims 3-6, 10, 15-16, 18-19, 22-23, 26-29, 31, 33, 40-41, 43-44, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) as applied to claims 1, 2, 9, 11-14, 24,25, and 34-39 above, and further in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996).

22. **Regarding dependent claims 3-6**, Weinberg et al. does not disclose a method in which the map data and pages are stored in a database, where users can recall the information using the mouse. Weinburg et al. also discloses that search engine may be

Art Unit: 2178

used for mapping purposes, so that a search is performed for pages on a wide area network (internet) and a map is created from that set of web pages (column 26, line 32-column 27, line 35 of Weingberg et al.). Weinburg fails to teach that the information is stored in a database and accessed using a mouse by selecting the original page.

However, Astiz et al. discloses a method of mapping a web page in which the map itself and the corresponding data are stored in a database, from which they can be recalled by users (column 5, line 68-column 6, line 20 of Astiz et al.). Astiz et al. also discloses that a mouse can be used to access maps previously generated that are stored in the database by selecting the page that the map corresponds too (column 9, line 31-column 10, line 50 of Astiz et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Weinberg et al. with the method of Astiz et al. because it would have provided a more organized way of accessing the data contained in memory.

23. **Regarding dependent claims 15, 16, 18, and 19**, the claims incorporate substantially similar subject matter as claims 3-6. Thus, the claims are rejected along the same rationale as claims 3-6.

24. **Regarding dependent claims 10, 22, and 23**, Weinberg et al. does not disclose a method in which the map data and page are transmitted over a wide area network. However, Astiz et al. discloses a method in which maps and corresponding data are downloaded via a non-local network (wide area network). (column 6, lines 7-20 of Astiz et al.).

Art Unit: 2178

25. **Regarding dependent claims 26-29, and 31**, the claims incorporate substantially similar subject matter as claims 3-6. Thus, the claims are rejected along the same rationale as claims 3-6.

26. **Regarding dependent claims 40-41 and 43-44**, the claims incorporate substantially similar subject matter as claims 3-6. Thus, the claims are rejected along the same rationale as claims 3-6.

27. **Regarding dependent claims 33 and 46-47**, the claims incorporate substantially similar subject matter as claims 22 and 23. Thus, the claims are rejected along the same rationale as claims 22 and 23.

28. **Regarding dependent claims 48 and 49**, Weinburg et al. discloses a method in which plug-ins provided by the map generator (application modules) can be used to perform mapping operations (column 12, lines 6-16 of Weinburg et al.).

Claims 7-8, 17, 20-21, 30, 32, 42, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberg et al. (US Patent Number 6,237,006, with US filing date of October 15, 1996) in view of Astiz et al. (US Patent Number 6,035,330, filed on March 29, 1996) as applied to claims 3, 5, 15, 18, 20, 26, and 31 above, and further in view of Sitka (US Patent Number 6,330,572, US filing date July 15, 1998).

29. **Regarding dependent claims 7-8, 17, 20-21, 30, 32, 42, and 45**, neither Weinberg et al. or Astiz et al. disclose a method of deleting items from the map database after a predetermined amount of time. However, Sitka discloses a method of

Art Unit: 2178

database management in which items in which items contained within a database can be automatically deleted based on the amount of time they have spent in the database (column 17, line 54-column 18, line 3 of Sitka). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Sitka on the mapping system because Sitka's method was applicable to any database.

Response to Arguments

30. Applicant's arguments with respect to claims 1, 11, and their respective dependent claims have been considered but are moot in view of the new ground(s) of rejection.

The applicant's arguments on Page 14 in reference to the limitation "... a search of a wide area network will result in Web pages whose content will be analyzed, organized, and displayed..." have been considered but are moot in view of new grounds of rejection. Weinberg et al. discloses the limitation as is shown in the rejection above.

31. Applicant's arguments filed 01/26/2004 have been fully considered but they are not persuasive.

Applicant's arguments on pages 14 and 15 in regards to claim 11 and the limitation "...selecting objects from said set... wherein the map page contains said link..." have been considered but are not persuasive. The rejection of claim 11 as stated covers the limitation as stated. A linked set is selected (objects from a set of linked target pages that are linked) and a map is presented containing the set and the links, which is disclosed in the rejection.

Applicant's arguments on pages 15 and 16 in regards to the limitation of a web server connected to a database of claims 24 and 36 have been considered but are not persuasive. The rejection of the claims provides the necessary limitations as found in the Weinburg et al. In addition to this, an embodiment of the invention of Weinburg et al. is provided in the "Overview" section (column 12, line 55-column 8, line 34 of Weinburg et al.) in which the system of Weinburg et al. is applied from a client device through which is connected to a web server.

Applicant's arguments on pages 15-17 in regards to the combination of Weinberg et al. and Astiz et al. in regards to limitation of storing web maps in a database have been considered but are not persuasive. The rejection of the claims provides sufficient motivation to combine similar inventions for mapping web pages from a client device. The motivation takes into account that it is well known to use a database as an organized structure of memory to be used for storing data.

Conclusion

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2178

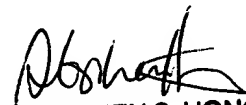
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
March 22, 2004


STEPHEN S. HONG
PRIMARY EXAMINER